



Town of Lexington

PLANNING BOARD

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Charles Hornig, Chair

Robert D. Peters, Vice Chair

Michael Schanbacher, Clerk

Melanie Thompson, Member

Robert Creech, Member

Michael Leon, Associate Member

RECOMMENDATION REPORT OF THE LEXINGTON PLANNING BOARD

ARTICLE 38: AMEND ZONING BYLAW AND MAP

95 HAYDEN AVENUE AND 128 SPRING STREET (99 HAYDEN AVENUE)

MARCH 23, 2022

RECOMMENDATION

The Planning Board unanimously recommends that Town Meeting **APPROVE** the motion under Article 38.

PROJECT SUMMARY

Hobbs Brook Real Estate has petitioned the Town of Lexington to amend the Lexington Zoning Map to rezone the parcels at 95 Hayden Avenue and 128 Spring Street (Map 17, Parcel 22 and Map 18, Lot 2B) to create a new PD-6 Planned Development District. The approximately 36-acre site is currently in Planned Commercial District CD-14 based on a Preliminary Site Development and Use Plan approved by Town Meeting in 2009.

Hobbs Brook acquired 95 Hayden Avenue in 2012 and 99 Hayden Avenue in 2020. 99 Hayden is also known as 128 Spring Street. The site contains an office and lab building complex, two parking garages, and associated surface parking and site improvements developed beginning in the 1960s encompassing a total of 428,392 square feet of gross floor area. In 2009 past property owners obtained approval of an additional 162,000 square foot lab/office building with an underground parking garage. That proposal was never constructed.

The project proposes the demolition of one existing building, the construction of two new buildings (Buildings 1 and 2) and a connector space connecting new Building 1 and new Building 2 with parking underneath, an addition to the one of the parking garages, renovation to the remaining existing buildings and site improvements. These buildings will be constructed in three separate phases adding an additional 314,812 square feet of gross floor area. Once completed, 95 and 99 Hayden Avenue will include a total of approximately 743,204 square feet of gross floor area.

The reviewed Preliminary Site Development and Use Plan (PSDUP) dated December 15, 2021 was submitted on December 23, 2021. The zoning was revised February 11, 2021. Additional renderings were submitted on February 11, 2021.

JUSTIFICATION FOR RECOMMENDATION

The Planning Board worked with Hobbs Brook Real Estate during the public hearing process to ensure the project complied with the Town initiatives for clean energy, traffic management, job creation,

property tax generation, and public trail access. The specific comments and concerns of the Planning Board are presented in the Minutes section of this report.

The Select Board and Hobbs Real Estate have negotiated a Memorandum of Agreement addressing non-zoning issues.

PUBLIC HEARING PROCESS

On Wednesday, February 2, 2022, after publication of the legal advertisement in the Lexington Minuteman Newspaper on January 13 and January 20, 2022, the Planning Board opened its public hearing. A continued public hearing was held on Wednesday, February 16, 2022. The Planning Board voted to close the public hearing and made a favorable recommendation to the 2022 Annual Town Meeting on Wednesday, February 16, 2022.

PUBLIC HEARING MINUTES

FEBRUARY 2, 2022

Members present were: Charles Hornig, Chair; Robert Peters, Vice-chair; Michael Schanbacher, Clerk; Robert Creech, Member; Melanie Thompson, Member and Michael Leon, Associate Member.

Present for the public hearing: Peter Tamm of Goulston and Storrs attorney for Hobbs Brook Real Estate, Brad Cardoso form Hobbs Brook Real Estate; Tim Bailey from Margulies Perruzzi; and Robert Michaud, P.E., MDM Transportation;

Charles Hornig, Chair, opened the public hearing. Mr. Tamm presented the background and the process, outreach to neighbors, and meeting with EDAC and the Select Board to discuss mitigations that will be included in the Memorandum of Understanding for this project redevelopment. He said they will be meeting with the Conservation Commission regarding an updated wetlands delineation. Mr. Cardoso presented the existing site conditions and project goals. Mr. Bailey presented the project overview of the redevelopment and proposed site plan phasing. He reviewed the proposed building elevations, development data, preliminary specifications and compliance table, parking and loading proposals, elevated renderings for the buildings, and landscape design. Mr. Michaud presented a transportation overview, elements of the of the Parking and Transportation Demand Management Program, access and pedestrian improvements, a possible new trail to connect to the existing trail network and possible trailhead parking spaces. Mr. Cardoso presented sustainability strategies for this project and public benefits it will provide to Lexington.

Board Comments and Questions:

- Ms. Thompson asked for clarification on how tall is the proposed mechanical penthouse? Ms. Thompson asked for how the public would access the trail system and the proposed trail connection and will there be parking for the public or shared parking with the building.
- Mr. Creech pointed out that some residents had said that multi-family housing should be part of the project. He hoped that the Applicant had given this some thought and he asked to hear about the Applicant's point of view with respect to a multi-family component for the project.
- Mr. Schanbacher asked if all the buildings are life science labs? He requested clarification on how tall is the building off Hayden Avenue and how much taller are the proposed buildings than the existing buildings. Clarification was requested on if there are any other specifics for alternate modes of transportation.
- Mr. Peters asked for clarification on if there is a target for the percentage of reduced parking on

site for single occupancy vehicles (SOV)? He asked if there is a possibility of restoring the existing historic house. He asked if the applicant was looking to operate 100% electric on site and would you need HVAC back-up using fossil fuel.

- Mr. Leon asked for clarification of the stack heights above the penthouse and how many stacks are there? How does the height of the proposed buildings in 2009 that were not built compare to the proposed buildings now and have you done a shadow study? He asked for clarification on the aggressively low parking ratio they are proposing.
- Mr. Hornig said the regulatory plans need to cover details of the building at 95 Hayden Road (the whole site). In 6.1 (uses) list all possible uses that you may want to fit on to the property in the future and not just the things you want to do now. Convenience uses are usually permitted as principal uses instead of accessory uses, especially solar energy systems. Regarding private schools you should not exclude music schools. He asked for clarification on why no food uses were included. You should add the food uses and parking to the list of principal uses. He suggested they go through the current use table and update your language to match what is in your proposed use table. For dimensional standards you have N/A for lot area frontage which is an issue since you may want to subdivide sometime in the future. Your site coverage area is off and you should review it. In section 7.2 you should explicitly exclude all rooftop structures and increase the height of the building from 40 to 50 feet to include the rooftop structures. Solar energy structures should be exempt from roof top coverage limits. For parking permit as much as you will need for anytime in the future. The dimensional standards for parking should be identified.

Audience Comments and Questions:

- A resident asked for what biosafety level the building will be built? What if the alternative transportation plan does not work out, what will happen if there is not enough parking.
- A suggestion was made to allow residents to come to your location and park to get on the shuttle to get to Alewife.
- Regarding the projected \$3.7 million annual revenue to the town, when will it begin and is that net new revenue or total revenue?
- A resident asked how many more people will work in these new buildings.
- A resident asked if the applicant can do a balloon test to show a visual of the proposed height of the buildings. He requested that a larger coordinated outreach be done to the surrounding neighborhoods. There was concern expressed about how the light spill was going to work and asked the applicant to provide a report on that.
- The current facility is very noisy and wanted to know who they can complain to and what will be done about that noise. The traffic is really bad on Woodcliffe Road and is used as a cut through and the cars go very fast down this road and requested a sign be put up that only allowed residents on the street during certain times of the day.
- Clarification was requested if the 2009 plans would still be valid.
- Clarification was requested on the floor area ratio (FAR) increase.
- What is the material on the exterior of the buildings? It looks like there will be a lot of glass how much glass will there be and what will that type of reflection impose on the residents in the area. Noise is already an issue and people have been dealing with noise from the facility across the street from you. How will you address the noise from your proposed buildings?
- We appreciate the improvements of siting of the development as opposed to the 2009 plan. There is concern about what might be potential future use or expansion of this site.

- Will there be any provision for potential onsite daycare space?
- There was concern expressed about traffic. Next time the applicant should provide a report on how you will equalize subsidy for people who arrive by other means of transportation than SOV. He requested clarification on how you would encourage people to use Route 2 rather than travelling through Lexington streets.

Robert Peters moved that the Planning Board continue the public hearing on Article 38 Amend Zoning Bylaw and Zoning Map – 95 & 99 Hayden Avenue (128 Spring Street) to Wednesday, February 16, 2022 at 7:00 p.m. Michael Schanbacher seconded the motion. The Planning Board voted in favor of the motion 5-0-0 (roll call: Bob Creech – yes; Robert Peters – yes; Michael Schanbacher – yes; Melanie Thompson – yes; Charles Hornig - yes) MOTION PASSED

FEBRUARY 16, 2022

Members present were: Charles Hornig, Chair; Robert Peters, Vice-chair; Michael Schanbacher, Clerk; Robert Creech, Member; Melanie Thompson, Member and Michael Leon, Associate Member.

Mr. Hornig opened the continued public hearing. Mr. Peter Tamm, attorney from Goulston and Storrs introduced the project team which included Brad Cardoso, director of design and construction from Hobbs Brook; Rui Ribeiro, project architect from Margulies Perruzzi; and Bob Michaud, traffic engineer from MDM.

Mr. Tamm presented a summary of the submitted updates for elevations of 95 & 99 Hayden Avenue, development data table, additional renderings, and PSDUP zoning text updates. Mr. Cardoso presented the site plan photo viewpoints of additional renderings, view 1 from Route 2, view 2 from Spring Street and Shade Street, view 3 from Spring Street and Hayden Avenue, and updated elevations with more details and elevations of the existing buildings. Mr. Tamm presented the updated development data for the project.

Board Comments and Questions:

- Ms. Thompson had no questions.
- Mr. Creech said a resident suggested considering a conservation restriction from the previous plan and believes that is appropriate to consider. The architectural details need to be better than good and was concerned about all the metal and glass and did not know how they would look in 20 years. The column smokestacks are more attractive than the penthouse. Is there is a way to keep the historic building on the façade of the new building? The building appearance will be discussed in the future at site plan review.
- Mr. Peters said a question of parking came in from the public on the subsidy for those who come in with other modes of transportation than single occupancy vehicles and that will need to be addressed at site plan review.
- Mr. Schanbacher had no questions.
- Mr. Hornig had some comments on small things he found in the PSDUP text he will send through staff.

Audience Comments and Questions:

- A resident said that there are still questions we have not gotten answers to. The public outreach has been abysmal. Usually applicants reach out more to the neighbors. When do you plan to hold any public meetings to inform them?
- A resident asked if there is a drawing of the new building being superimposed over the existing buildings? For Town Meeting you should provide that picture so Town Meeting members can see the actual comparison.

Robert Peters moved that the Planning Board close the public hearing for Article 38. Michael Schanbacher seconded the motion. The Planning Board voted in favor of the motion 5-0-0 (roll call: Bob Creech – yes; Robert Peters – yes; Michael Schanbacher – yes; Melanie Thompson – yes; Charles Hornig - yes) MOTION PASSED

MARCH 23, 2022 PLANNING BOARD VOTE

Robert Peters moved that the Planning Board recommend Town Meeting approve Article 38, to Amend Zoning Bylaw and Zoning Map – 95 & 99 Hayden Avenue (128 Spring Street). Michael Schanbacher seconded the motion. The Planning Board voted in favor of the motion 5-0-0 (roll call: Bob Creech – yes; Robert Peters – yes; Michael Schanbacher – yes; Melanie Thompson – yes; Charles Hornig - yes) MOTION PASSED

Charles Hornig. yes


Robert Peters.yes

Michael Schanbacheryes

Robert Creech. yes

Melanie Thompson. yes

For the Planning Board,


Charles Hornig, Chair